

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ERRIC LAMAR BEASLEY,

Plaintiff,

v.

ROYAL DUTCH SHELL, et al.,

Defendants.

No. C 07-06501 PJH

ORDER TO SHOW CAUSE

TO PLAINTIFF ERRIC LAMAR BEASLEY:

YOU ARE HEREBY ORDERED TO SHOW CAUSE IN WRITING, no later than May 16, 2008, why the above-entitled action should not be dismissed pursuant to Federal Rule of Civil Procedure 41(b), for failure to prosecute.

The complaint in this case was filed on December 28, 2007. Notwithstanding the court's order of March 3, 2008, denying plaintiff's request for leave to proceed in forma pauperis, and ordering that the \$350 filing fee be paid by March 31, 2008, no filing fee has been received by the clerk of the court. The March 3, 2008, order advised plaintiff that failure to pay the filing fee would result in dismissal of the case without prejudice.

In addition, pursuant to Federal Rule of Civil Procedure 4(m), plaintiff was required serve defendants with the summons and complaint no later than 120 days after the date the complaint was filed – in the present case, no later than April 26, 2008. To date, plaintiff

1 has filed no proof of service of the summons and complaint on defendants.

2 If plaintiff fails to provide the written statement described above by May 16, 2008,
3 and to pay the filing fee by that date, the court will dismiss the action.

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5 **IT IS SO ORDERED.**

6 Dated: May 2, 2008



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PHYLLIS J. HAMILTON
United States District Judge